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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER	
MERCK-2686-1	
U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	
10/553668	

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/EP2004/003091	24 March 2004 (24.03.2004)	18 April 2003 (18.04.2003)

TITLE OF INVENTION

ANTIMICROBIAL PIGMENTS

APPLICANT(S) FOR DO/EO/US

Herwig BUCHHOLZ, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. '371(c)(2))
   a. ☐ is attached hereto (required only if not communicated by the International Bureau).
   b. ☒ has been communicated by the International Bureau.
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
   a. ☐ is attached hereto.
   b. ☒ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
   a. ☐ are attached hereto (required only if not communicated by the International Bureau).
   b. ☐ have been communicated by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
   d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 C.F.R. 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/553668	PCT/EP2004/003091	MERCK-2686-1

		CALCULATIONS	PTO USE ONLY
The following fees have been submitted			
21. ☒ Basic national fee	$300	$300.00	
22. ☒ Examination fee		$200.00	
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)	$100		
All other situations	$200		
23. ☒ Search fee		$500.00	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an			
International Searching Authority	$100		
International Search Report prepared and provided to the Office	$400		
All other situations	$500		
Total of 21, 22 and 23 =		$1000.00	
☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is $250 for each additional 50 sheets of paper or fraction thereof.			

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round **up** to a whole number)	RATE	
113- 100	13/50 =	20	x $250	$250.00

Surcharge of **$130.00** for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	34- 20 =	14	x $50	$700.00	
Independent Claims	2- 3 =	1	X $200	$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ $360	$	
TOTAL OF ABOVE CALCULATIONS =				$1950.00	
☐ Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.					
SUBTOTAL =				$	
Processing fee of **$130.00** for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). +				$	
TOTAL NATIONAL FEE =				$1950.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00** per property +				$	
TOTAL FEES ENCLOSED =				$1950.00	
				Amount to be refunded:	$
				Amount to be charged:	$

a. ☒ A check in the amount of $1950.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 13-3402 in the amount of $_____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING**: Information on this form may become public. **Credit card information should not be included on this form** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

SIGNATURE

Anthony J. Zelano

NAME

27,969

REGISTRATION NUMBER

Date: October 17, 2005